

REMARKS

Claims 1-20 were pending in the present application. Claims 1-17 have been canceled without prejudice as claims drawn to a nonelected invention. Applicants reserve the right to prosecute these canceled claims in the future. Claims 21-27 have been added. These claims are supported in the specification, particularly in the claims as originally filed, and do not include new matter. Thus, claims 18-27 are pending in the present application. Applicants address the Examiner's sole rejection in view of the amended and newly added claims.

The Examiner rejected claim 18 under 35 U.S.C. § 102(b) as allegedly being anticipated by EP 0 184 162 (EP '162). Claim 18 has been amended such that R₅ at the C-13 position is hydrogen. This amendment is supported in the specification at least at page 8, lines 23-26 and in the claims as originally filed, and does not include new matter.

Unlike amended claim 18, EP '162 contains a methoxy group in the C-13 position. Because EP '162 does not disclose each element of the claimed invention, claim 18 is not anticipated. Accordingly, claim 18 is allowable. Because claim 18 is allowable, dependent claims 19 and 26 are also allowable.

Furthermore, Applicants gratefully acknowledge the Examiner's indication that claims 19-20 are allowable if rewritten in independent form. Applicants have rewritten claims 19-20 as independent claim 27. Accordingly, new claim 27 is allowable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. **300622002611**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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